

STATE OF NEW YORK
SURROGATE'S COURT: COUNTY OF NEW YORK

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In the Matter of the Application of

AFFIRMATION IN RESPONSE TO
MOTION FOR LEAVE TO
AMEND PETITION

ORLY GENDER, as a person interested, for the
removal of DALIA GENDER as Trustee of the
Orly Genger 1993 Trust pursuant to SCPA §711(11)

2008-0017
~~File No. 0017/2009~~

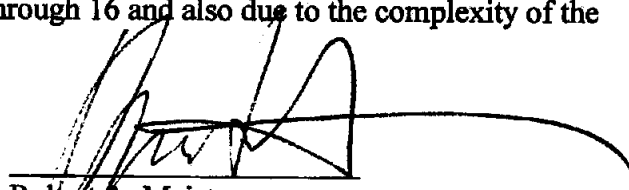
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ROBERT A. MEISTER, a member of the New York Bar, hereby affirms under the
penalties of perjury:

1 I am a member of the Bar and of Pedowitz & Meister LLP, counsel for respondent
Dalia Genger, Trustee of the Orly Genger 1993 Trust (the "Orly Trust"). I make this affirmation
in response to the motion of beneficiary Orly Genger ("Orly") further to amend her Petition.

2 While Respondent does not agree with allegations in the proposed Second
Amended Verified Petition, which neither she nor her counsel had seen before receipt of this
motion, as I as counsel believed under the law's liberal amendment policies the Court would
likely grant leave, I stipulated to allow the amendment. Of course, that stipulation is not to be
construed as an admission of the validity of the pleading.

3 The motion also requests an Order deeming the Second Amended Verified
Petition served on all the parties. If the Court grants such relief, I respectfully request that the
Order provide an extended time of 45 days from service of notice of entry of the Order to
respond thereto. This request is due to the need to schedule other professional dates in October
my planned trip to Europe from October 7 through 16 and also due to the complexity of the
matters alleged.

September 23, 2010


Robert A. Meister
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212.403.7330
Attorneys for Dalia Genger, Trustee

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In the Matter of the Application of

AFFIDAVIT OF SERVICE

ORLY GENDER, as a person interested, for the
removal of DALIA GENDER as Trustee of the
Orly Genger 1993 Trust pursuant to SCPA §711(11)
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2008-0017
File No. ~~0017/2009~~

STATE OF NEW YORK)
 : ss.:
COUNTY OF NEW YORK)

David Bartky, being duly sworn, deposes and says: I am over the age of 18 years
and not a party to this action. On the 23rd day of September, 2010, I served the annexed
AFFIRMATION IN RESPONSE TO MOTION FOR LEAVE TO AMEND PETITION
on Petitioner by sending same via pre-paid first class U.S. mail to:

Judith E. Siegel-Baum, Esq.
Cozen O'Connor PC
277 Park Avenue
New York, NY 10177,

her counsel of record.



David Bartky

Sworn to before me this
23rd day of September, 2010.



Notary Public
✓